

OPEN SPACE COUNCIL
MINUTES
Legislative Hall
Senate Hearing Room, Second Floor
Dover, DE
September 15, 2009
9:00 a.m.

ATTENDANCE

Council Members:

Lynn W. Williams, Chairperson
Senator George Bunting
Representative Gerald Brady
Paul Boswell, Esq.
Wayne Holden
John Schroeder

Advisory to:

David Small for Secretary Collin O'Mara

Ex-Officio:

Charles A. Salkin, Parks & Recreation, DNREC

Staff:

Robert Phillips, DAG, Department of Justice
Timothy Slavin, Director, Historical & Cultural Affairs, Department of State
Patrick Emory, Director, Fish & Wildlife, DNREC
LeeAnn Walling, Office of the Secretary, DNREC
Matthew Chesser, Parks & Recreation, DNREC
Ron Vickers, Parks & Recreation, DNREC
Elena Stewart, Parks & Recreation, DNREC
Austin Short, Forest Service Department, Department of Agriculture
Michael Valenti, Forest Service Department, Department of Agriculture

Public:

Charlotte Herbert, Delaware Association of Realtors

I. Call to Order/Announcements

Ms. Lynn Williams, Chairperson, called the regular Open Space Council meeting to order at 9:05 a.m. She welcomed Council members, visitors, and staff and asked for announcements. It was noted that Phil Carpenter from the Division of Fish and Wildlife retired at the end of August. The Council wished to thank Mr. Carpenter for his many years of state service and suggested a letter be sent to him expressing this sentiment.

II. Review of Meeting Minutes

Ms. Williams asked for a motion to approve the June 9, 2009 minutes as written. Council moved and seconded to accept the minutes as written. Motion passed.

III. Financial Report

Mr. Vickers presented the financial report. Currently, there is a balance of \$5,222,363.55 from the remainder of the FY2008 funds and the full FY2009 funds allocated on June 30, 2009. To date, \$1,684,910.40 was received from federal reimbursements from the Coastal and Estuarine Land Conservation Program (CELCP). This results in a total balance of \$6,907,273.95.

There are six projects previously recommended and approved for acquisition that total \$7,204,639.00. This would result in a shortfall of \$297,365.05. However, the program anticipates additional CELCP and other grant funds to cover this amount. Settlements will need to be timed according to available funding.

The FY2010 Bond Bill appropriated \$2,550,000, to be available on June 30, 2010.

There were two settlements since the last meeting: (1) Murray/Rickards property – Inland Bays SRA, which is an in-holding at Holts Landing State Park, and (2) Durham Trust – James Branch SRA, which is near Trussum Pond at Trap Pond State Park.

IV. Agency and Public Presentations

State Resource Areas (SRA):

Ms. Walling provided the Council with an update of the meetings related to the SRA process. In July, invited technical experts and interested parties attended a day-long workshop to address standards and criteria from their own program perspectives. The attendees presented data sources and discussed ways to convert this information into usable maps.

One result of this workshop was a meeting of a policy subgroup that centered on how to integrate the program concerns with on-the-ground situations that would result in clearly defined standards and criteria that would be used to create the SRA maps. This meeting also discussed the idea of a tiered approach for the maps, having priority protection sites and other conservation opportunity areas. The subgroup also suggested using The Conservation Fund to expand on its Kent County environmental network map to a statewide effort. This is based on specific resource data and spatial analysis modeling.

The Council discussed this idea and endorsed entering into a contract with The Conservation Fund.

Mr. Phillips reminded all that the standards of criteria need to go through an approval process before any maps are produced.

In August, the stakeholders group met to discuss the public process on the standards and criteria and the maps. Ms. Walling presented the Council with a draft public process guidance document. Suggested changes were to note specific times in the process for public hearings as well as public workshops and how to address objections to the maps. A revised document will come before the Council.

Mr. Salkin noted that much of the workshop discussion was science driven. However, the law also calls for addressing cultural resources sites and recreational lands. This perspective needs to be included in future discussions.

Senator Bunting stated that the SRA process will be a hard sell because of property rights issues. Many folks do not like the idea of mapping land and restricting its use.

Mrs. Williams reminded all that the State and Council's involvement in the SRA process is to establish standards and criteria for SRAs and then to use these to designate lands on maps. These maps are then given to each County to incorporate into their respective land use plans. The Counties decide what, if any, regulatory actions are applied to the SRAs.

V. Executive Session – Discussion of Site Acquisition Contracts

The Council adjourned to Executive Session at 10:20 a.m. to discuss site acquisition contracts. The Council returned to Open Session at 10:50 a.m.

VI. Project Recommendations

The Council moved, and seconded and recommended that up to \$500,000 of FY2010 funds be available for the Glatfelter-Hughes/Jones project at Ellendale State Forest for the Delaware Forest Service.

The Council moved, and seconded and recommended that up to \$500,000 of FY2009 funds, when available, and up to \$1,600,000 of FY2010 funds be available for the NVF-CCS project at Yorklyn for the Division of Parks & Recreation.

VII. Next Meeting & Adjournment

The next Council meeting is December 8, 2009 at 9:00 a.m. in the 2nd Floor Senate Hearing Room, legislative Hall, Dover, Delaware.

Ms. Williams asked for a motion to adjourn the meeting. The meeting adjourned at 11:00a.m.